

REMARKS

Claim 16 is amended herein. Claims 1-8, 10-13, 15-16 and 18-19 are pending and under consideration.

The rejections under 35 U.S.C. § 103 are respectfully traversed. Independent claim 1 (used as an example) recites if the defect corresponds to the second category, further recording of the data recorded in the defect region in another region without a read-after-write operation. Independent claim 1 also recites the second category indicating that the data is not normally reproducible even though the data is normally recordable.

The Examiner admits that Takasago does not teach this feature, but instead relies upon Nakane. Nakane teaches:

in the case of audio or video data, continuous recording at a high transfer rate is required. Accordingly, verifying reproduction is often omitted, ignoring data defects. Even if some defects occur during recording, as long as occurrence of the defects is of such a degree that the defects can be corrected or concealed later at the time of reproduction, it is preferable to continue recording operation ignoring the defects, since it will improve the performance and the operability as a recorder. For this reason, the criteria set for servo defects and header defects are set at a less strict level at which the recorded data can be corrected or concealed

Nakane, para. 144

Thus, one condition Nakane teaches is that the defects during recording can be concealed. Thus, reproduction is normal. This differs from the condition of the second category as claimed in claim 1. Another condition Nakane teaches is that there are defects during recording. Thus, the data is not normally recordable. This also differs from the condition of the second category as claimed in claim 1.

The remaining references do not overcome these deficiencies.

Accordingly, withdrawal of the rejection is requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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